An Integrated Approach to Crime Prevention and Victims Assistance:

A Discussion Paper

Manitoba Attorney General

89-04775/

The Attorney General

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R3C 0V8

Public attitudes to law enforcement and the administration of justice have undergone a remarkable transformation. Twenty years ago, the police and the courts operated in near-isolation from the community at large. Average citizens were treated more like intruders into the system than as participants.

Today, our justice system has evolved to a point where it is being operated more and more as a partnership involving police, courts, corrections, volunteers and the community at large.

Changing attitudes were felt first in crime prevention activities. Police forces and community groups worked together to develop strategies to make local neighbourhoods safer. Success in one location led to similar programs in other communities. The results are evident in such fine programs as Block Parents, Neighbourhood Watch and Rural Crime Watch.

More recently, the justice system has recognized that people victimized by crime need special assistance and support. The public is demanding programs to prevent spousal, elder and child abuse, as well as action to reduce the carnage on our highways caused by impaired drivers. Community concerns are growing about the personal and economic costs of widespread drug and substance abuse.

With limited financial resources, a Government must evaluate all needs carefully and, wherever possible, seek ways to address them by using existing resources to operate services in a more coordinated, efficient manner. The need for efficient management applies as much to crime prevention and victims' assistance as to health, education and other government services.

We believe that crime prevention and services for victims are two sides of the same coin. If governments, police, courts, corrections, volunteers and the public all work together, we can encourage, develop, and maintain programs that both prevent crime and serve the needs of victims who fear recurring crimes.

The Government wants to take direct action that can be augmented by co-ordinated volunteer and community efforts. We believe this co-operative effort will produce a multiplier effect and will give citizens a greater sense of ownership of the programs and the system as a whole.

To this end, we see the government serving in a leadership role and acting as a catalyst. To determine what mix of policies and programs can best accomplish this end, the Department of the Attorney General has prepared this Discussion Paper.

The paper describes existing programs, and suggests a possible approach to coordinating programs of victims assistance with programs for crime prevention, including prevention of impaired driving and drug and substance abuse. It includes basic statistical information and historical background in each of four areas: victims services, crime prevention, impaired driving, drug and substance abuse.

The paper also invites public feedback. Your ideas are needed and will be carefully considered.

Please address your responses to:

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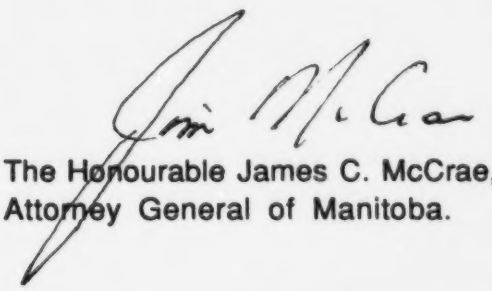
Your responses are requested by **no later than May 15, 1989.**



The Honourable James C. McCrae,
Attorney General of Manitoba.

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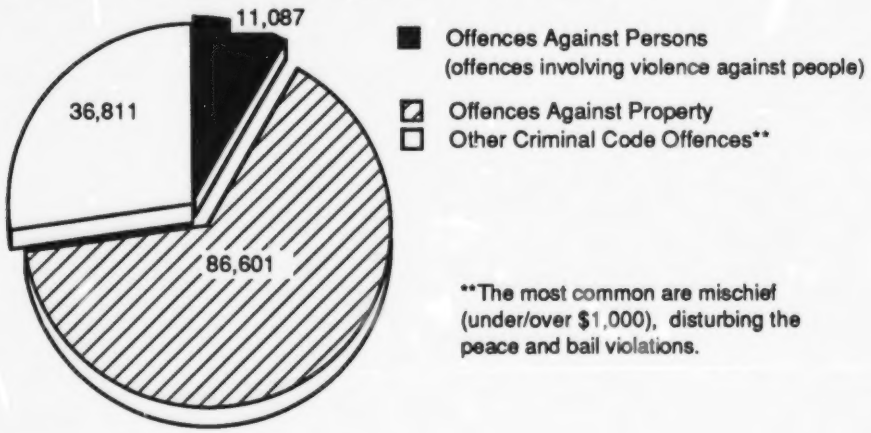
CRIME PREVENTION

a) Statistics

The information in this section will illustrate present crime trends in Manitoba and provide the context for issues to be discussed in this paper.

The incidence of crime in Manitoba is illustrated in the following two charts. The pie chart depicts actual offences reported to the police in 1987, which are broken down according to crimes against persons, property offences and other *Criminal Code* offences.

General Crime Statistics for Manitoba 1987
Criminal Code Offences Reported to Police

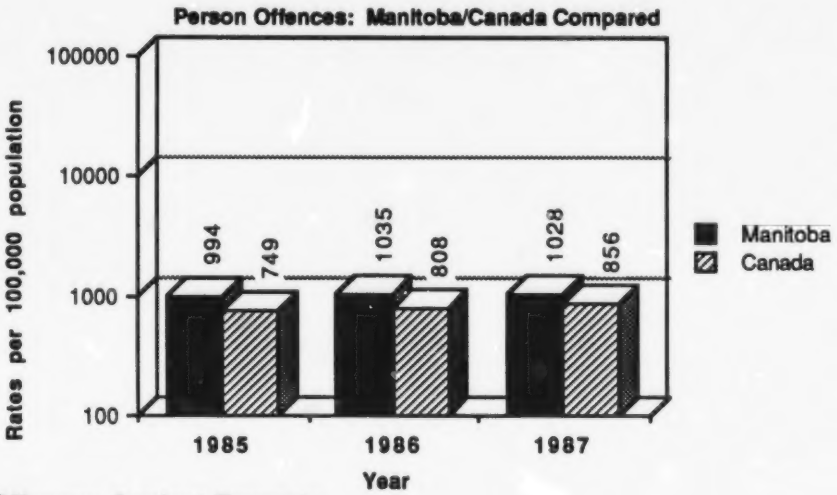


From this chart it is readily apparent that most reported crime relates to offences against property (64 per cent), which are roughly eight times more common than reports of offences against persons (eight per cent).

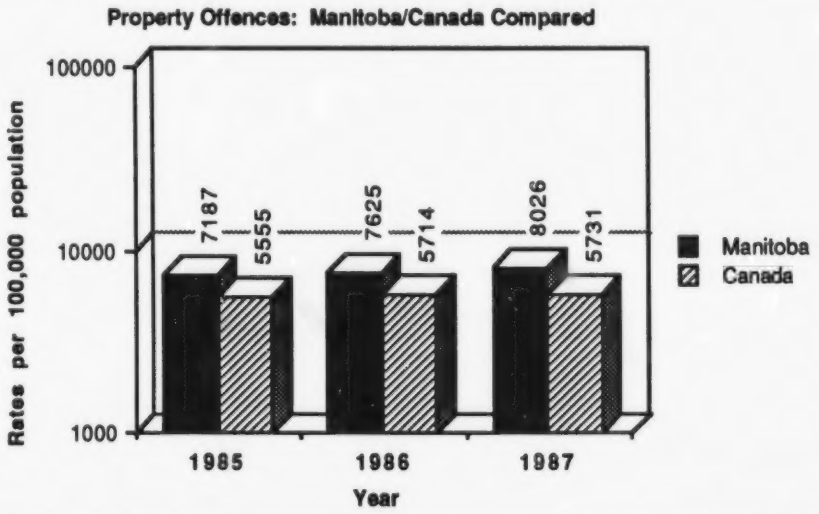
The two tables on the next page illustrate the incidence of person and property offences over a three-year period, with a comparison with Canada as a whole.

General Crime Statistics: Manitoba/Canada Compared

(a) Offences Against Persons



(b) Offences Against Property



These charts indicate that there has been an 11-per-cent increase in property offences in Manitoba in the last three years, but the national rate has seen relatively little change. Both nationally, and in Manitoba, there was little change from 1986 to 1987 in offences against persons. Manitoba is consistently higher than the national average in both categories and, after British Columbia, has the second highest rate of Criminal Code offences among the provinces.

b) Background

The concept of crime prevention is not new to Manitoba. Manitoba was the first province to announce the dedication of November as Crime Prevention Month, in order to focus attention on the need for a province-wide network representing social services, businesses, unions, education, seniors, legal and community interests, as well as ethnic and cultural groups.

The high level of interest and continued participation of these groups over the past five years has highlighted needs in both rural and urban communities. Specific concerns identified by community groups, educational centres, social services and other groups are:

- the growing rate of break-ins and vandalism;
- the safety of the elderly and the loss of their life savings;
- the tragedy and trauma caused by drinking and driving and other forms of substance abuse;
- the lack of victim services to help victims deal with the trauma and problems that result from crime;
- the general lack of self-help information available to the average citizen for crime prevention.

In 1980, on the recommendation of the Manitoba Police Commission, the Attorney General's Advisory Committee on Crime Prevention and Control was created. The terms of reference developed for this committee were:

- To monitor and assess crime frequency by type of crime and location in Manitoba through consultation with local authorities;
- To monitor, assess and evaluate crime prevention programs and recommend new or revised programs to encourage community crime prevention and citizen participation;
- To review and evaluate existing legislation and make recommendations to provide for more effective control and prevention of unlawful behaviour;
- To consult with and be consulted by a wide range of institutions and agencies, both governmental and non-governmental, whether in Manitoba or beyond, who form the citizenry of Manitoba.

This Committee operated until 1983, when it was disbanded due to lack of financial resources and available personnel.

Project Prevention was established as a demonstration project in 1982. Its mandate involved informing Manitobans about crime prevention strategies, with the purpose of stimulating each participating community to identify local problems and concerns relating to crime prevention and initiate an appropriate local response. The Project received funding for three years, primarily from the federal Ministry of the Solicitor General, and was also sponsored by Manitoba organizations. Project Prevention now works without paid staff and operates as a facilitating body through which a number of agencies and community service groups work together on crime prevention activites, notably Crime Prevention Month.

In early 1986, the province of Manitoba made a further public commitment to the concept of community and neighbourhood-based crime prevention. This commitment was evidenced by the passage of *The Crime Prevention Foundation Act* by the Legislature in 1987. However, the *Act* has not been proclaimed.

A consultant was hired to examine aspects of the legislation and implementation issues with key actors in the crime prevention movement. Funds were provided by the Ministry of the Solicitor General Canada, due to the interest of the federal government in fostering the development of innovative and effective crime prevention initiatives throughout Canada. An advisory committee, comprising representatives of that ministry, Manitoba Attorney General's department and the University of Manitoba's Criminology Research Centre, provided guidance and advice throughout the process. The consultant's report included parameters and suggestions for the Board's consideration once it was appointed.

A major difficulty with the consultant's report on *The Crime Prevention Foundation Act* is that its proposals went far beyond the financial commitment to crime prevention made by the government of the day.

The *Act* provided for a Crime Prevention Centre, and the consultant recommended hiring an executive director, a research officer and a secretary. In addition, the centre was to be established in a separate location to enhance its independence from Government. Under this proposal, the Government estimates salaries and rent would require at least $100,000 a year. The consultant also recommended $250,000 in grants to be made per year and provided guidelines as to the types of activities that should receive grants. If the *Act* is proclaimed, the total cost of the Crime Prevention Foundation would therefore be approximately $350,000 a year.

In addition to this *Act,* Section 24 of *The Provincial Police Act* gives the Manitoba Police Commission a mandate for police-based crime prevention activities. Under the aegis of the Police Commission, a Crime Prevention Core Committee, established in 1976 and composed of police and security officials, coordinates the exchange of crime prevention information and materials among law enforcement agencies and the public in Manitoba. In addition, a Crime Prevention Coordinator reporting to the Commission is primarily responsible for educational crime prevention

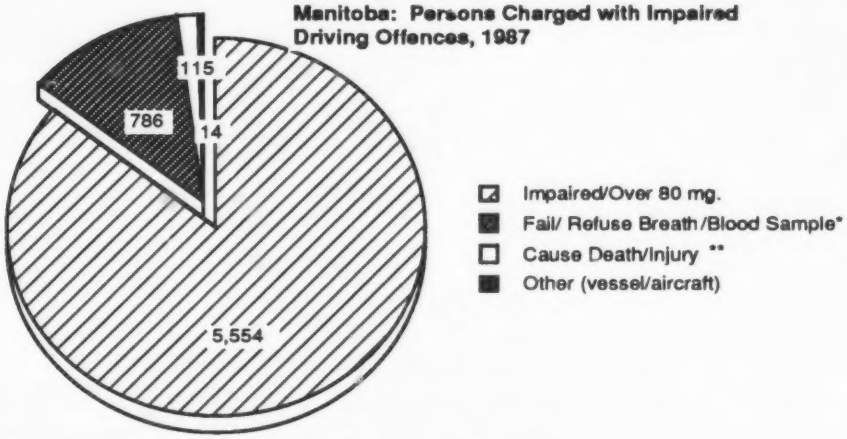
programs in the schools and assists in coordinating police-based crime prevention programs. The Commission also stocks a variety of pamphlets and booklets on crime prevention programs, which are available to the public, businesses, law enforcement agencies and other interested groups.

These facts and events clearly point to a need for coordinated and focused crime prevention programs and information in Manitoba, in both government and voluntary sectors.

IMPAIRED DRIVING

a) Statistics

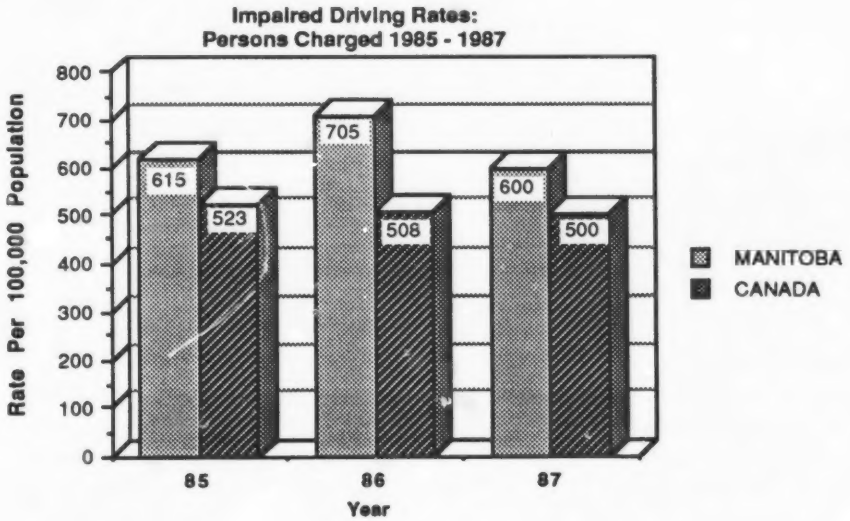
Traffic accidents involving alcohol continue to be a serious concern, despite efforts to deal with the problem. Penalties for impaired driving have been increased, community groups are becoming more involved with the issue on a local level and victims' groups are becoming more vocal. The following pie chart indicates the types of impaired driving charges laid in 1987 in Manitoba.



*19 out of 786 persons charged with failure to provide blood sample.

**12 out of 115 persons charged with impaired driving causing death.

The following chart compares persons charged in Manitoba with persons charged in Canada.



Clearly, Manitoba is above the national average in numbers of persons charged for impaired driving offences. However, Manitoba's rate is lower than those for Alberta, Saskatchewan, Prince Edward Island and New Brunswick.

b) Background

Several committees have been appointed in Manitoba to deal with the problem of impaired driving. The Attorney General's Committee on Drinking and Driving was one of the earlier committees and operated from May 1982 to June 1983. It developed 20 recommendations for strengthening legal sanctions and enforcement and for improving public education with respect to impaired driving. Most, but not all, of these recommendations have subsequently been implemented.

In response to a recommendation of the committee, a community-based volunteer committee was established, primarily to deal with public education and awareness about drinking and driving. It operated from 1983 to 1985.

In addition, the Traffic Safety Committee, reporting to the Minister responsible for Manitoba Public Insurance Corporation (MPIC) and the Minister of Highways, was established in 1982 to assist with initiatives related to the seat belt legislation. This committee continues to operate as an advisory body on traffic safety issues to the responsible ministers.

The most recently established body with responsibility for impaired driving initiatives in Manitoba is the Manitoba Coordinating Committee for Impaired Driving Counter-Measures (1987). This committee originated with the Traffic Safety Committee when the Minister responsible for MPIC was the lead minister for Driving While Impaired (DWI) initiatives in the province. It was established to coordinate a new federal DWI initiative in Manitoba. Its main responsibility is to screen applications for federal grants and to assist in implementing the approved DWI projects. The committee has recently acquired funds from the Attorney General for administrative support.

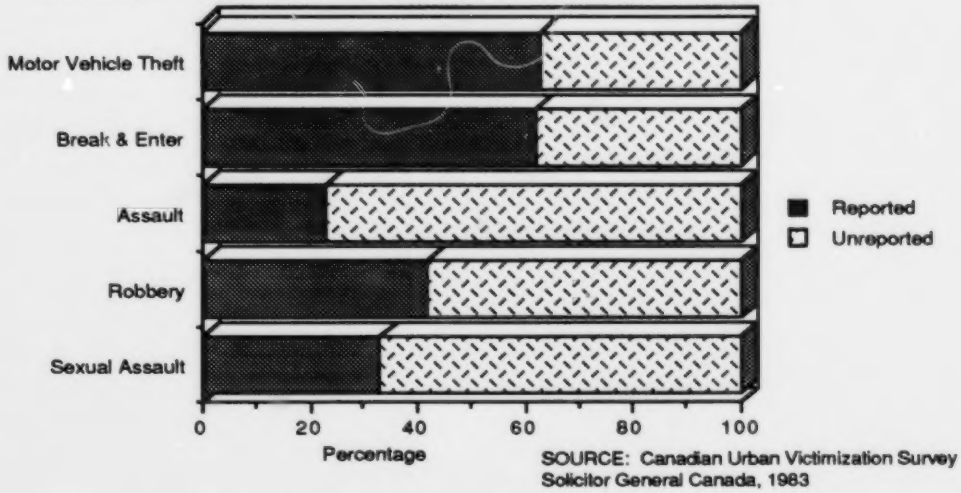
The Attorney General was recently named lead Minister for the coordination of government programs and policies to reduce impaired driving. Provincial government activities are being undertaken by four Departments (Highways and Transportation, Health, Attorney General, and Community Services), two Crown Corporations (MPIC and Manitoba Liquor Control Commission) and one provincial agency (Alcoholism Foundation of Manitoba).

VICTIMS ASSISTANCE

a) Statistics

Until recently, little information was available about the numbers of Canadians victimized by crime. Many victims, for various reasons, do not report crimes to the police making it extremely difficult to obtain reliable data reflecting accurate numbers of victims. However, in 1982, a victimization survey was conducted in seven major cities by the Ministry of the Solicitor General. One of the cities included in the survey was Winnipeg, where the following information was collected:

VICTIMIZATION IN WINNIPEG:
Percentage of Reported and Unreported Incidents by Type of Crime, 1981



SOURCE: Canadian Urban Victimization Survey
Solicitor General Canada, 1983

The survey data showed that, among residents of the the seven cities, Winnipeggers were least likely to report robberies and assaults, but were in the medium range in reporting the other offences measured.

From this chart it is readily apparent that victims hesitate to report certain types of crime, particularly assault and sexual assault. In the victimization survey, the most common reasons given for failure to report an offence were that the offence was "too minor", that "police could do nothing about it anyway" and that it was "too inconvenient" or victims "did not want to take the time." It was also concluded that the criminal justice system seems too complex or confusing for individuals to want to be a part of the reporting system.

b) Background

i) Current Victims Programs in the Attorney General's Department

There are a number of programs and services for victims in operation in the Attorney General's Department.

The Victim/Witness Assistance Program, designed to provide information and assistance to witnesses in the justice system, began in 1981 and is a permanent program in the Department. At present the program receives approximately 1200 calls per month, with over 300 inquiries needing follow-up by program staff. A Coordinator and Secretary/Witness Worker form the staff of the program at present. The annual cost for this project is approximately $59,500.

The Child Abuse Witness Program provides support, counselling, information on the court process and court support to young victims of sexual/physical abuse. The program has been in existence since 1984 and received funding from the federal government, Core Area Initiative and Community Services until April 1987. At that time, after a program review was completed by the Attorney General's Department, the provincial government (Attorney General/Community Services) assumed joint funding for the program. Referrals for the period from Nov. 1987 to Nov. 1988 numbered 202, representing an increase of 46% in clients served by the program over the previous year. The annual cost of this project is approximately $33,500.

The Videotaping Project on Child Sexual Abuse was jointly funded in 1986 as a pilot project by the provincial Attorney General and the federal Department of Justice. To date, the program has resulted in the development of working protocols and the production of 245 videotaped interviews with child sexual abuse victims, each facilitating a multi-disciplinary intervention in child sexual abuse cases. Approximately $41,000 a year is needed to continue to operate this project.

Manitoba was one of four provinces to pioneer the use of victim impact statements in court. The program completed its initial two-year phase in March 1988, cost-shared by the federal Department of Justice and the provincial Attorney General. Over 360 victim impact statements were prepared for the three demonstration Winnipeg police districts. The importance of this program is demonstrated by recent amendments to the *Criminal Code* that have emphasized the acknowledgment and use of victim impact statements in criminal proceedings. Salary and operating costs for this project are estimated at $33,000.

ii) Victims Assistance Fund

Manitoba's *Justice for Victims of Crime Act* came into effect in January 1987. It was the first legislation of its kind in Canada to acknowledge the needs and concerns

of victims of crime by way of a declaration of principles, the creation of a Victims Assistance Committee and a dedicated fund provided by a surcharge on provincial offences.

The Victims Assistance Fund was created under the legislation as a separate dedicated fund to be used for victims' services and programs in the province. Funds are generated by a surcharge to provincial offences (excluding parking offences). A 12% surcharge is applied to fines and a $25 flat fee is imposed on non-fine offences.

iii) Federal Surcharge

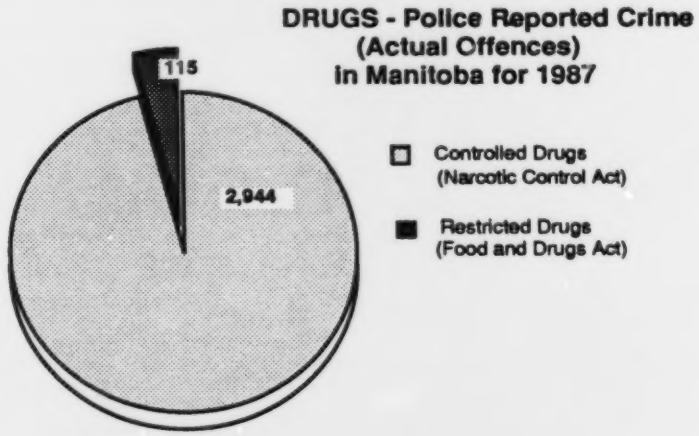
A federal fine surcharge on *Criminal Code* and *Narcotic Control Act/Food and Drugs Act* offences is scheduled to come into effect in 1989. At present there is some indication that the federal-provincial consensus is leading toward a flat-fee system of surcharge as opposed to the Manitoba approach of a percentage attached to fine sentences and a flat fee attached to non-fine sentences. It is likely that the flat fee will be $25 for every sentence.

On proclamation, Section 655.9 of *the Criminal Code (victims of crime)* will provide that: victim fine surcharges shall be applied to assistance to victims of crime, as specified by the government of the province where the offence took place.

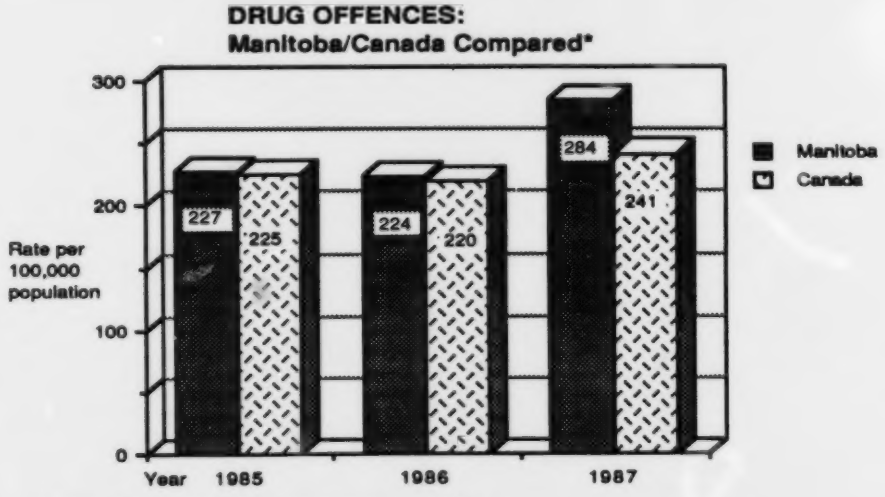
DRUG AND SUBSTANCE ABUSE

a) Statistics

The following pie chart provides figures pertaining to police-reported drug offences under the *Narcotic Control Act* and the *Food and Drugs Act* in Manitoba in 1987. These offences include both possession and trafficking in restricted and controlled drugs. However, there is also the problem of abuse in such unrestricted and uncontrolled substances as "sniff" and "designer drugs."



For comparison purposes, the following chart provides a further breakdown for a three-year period, based on Manitoba/Canada statistics.



**Restricted and Controlled Drugs have been combined*

b) Background

The full extent of drug and substance abuse in Manitoba cannot be measured accurately, but its cost to the community is felt first in increased crime as users seek to finance their habit through crime. The second cost is the added burden placed on health and community services by users, by victims of drug-related crimes, the loss of life from suicide (especially among young people) and the direct impairment of babies through parental abuse of drugs or substances.

The federal government initiated a National Drug Strategy in May 1987 to coordinate and integrate the efforts of diverse groups throughout the country committed to fighting drug and substance abuse. Of its five-year budget of $210 million, 38 percent is directed to treatment and rehabilitation, 32 percent to education and prevention, 20 percent to enforcement and control, 6 percent to information and research, 3 percent to international cooperation and 1 percent to the creation of a Canadian Centre on Substance Abuse.

Within Manitoba, anti-drug/substance activities have followed two paths. At the educational level, programs have been developed jointly by the Alcoholism Foundation of Manitoba (AFM) and the Manitoba Department of Education. Called "Tuning Into Health," programs geared for grades 2 to 6 and grades 7 to 9 are part of the health curriculum. To supplement and support these educational efforts, the Alcoholism Foundation provides awareness sessions for school administrators, teachers and parents.

As for programs relating to the treatment and prevention of other problems related to substance abuse, the AFM develops and operates its own services, provides funds for other groups and agencies, and seeks to coordinate the efforts of groups, agencies and associations concerned with alcohol and substance abuse in Manitoba.

SUBJECTS FOR DISCUSSION

Given the above statistics and background, what should be the next step? The Government recognizes that:

- It is essential that the participation of community groups in crime prevention be fostered, to ensure that these groups have control of their programs while remaining accountable for the spending of public funds.

- Similarly, there is a need for strong input from the victims assistance community in determining their own needs and how they are addressed.

- There is a need to maintain the government-run victims' programs, with adequate resources.

- An equitable balance for the resourcing of programs and initiatives in the areas of crime prevention and victims must be found.

- In order to maintain the essential, although diverse, models currently in operation, especially in the victims and crime prevention areas, a partnership is needed in distribution of funds in these areas.

- Coordination is needed among all four areas identified, i.e. crime prevention, victims assistance, impaired driving and drug and substance abuse.

There are three sources of funding in these areas:

- Approximately **$720,000** is collected annually from the provincial fine surcharge on provincial offences as per *The Justice for Victims of Crime Act.*

- **$200,000** has been allocated by the Attorney General's Department for crime prevention activities and programs.

- With the advent of the federal fine surcharge in 1989, it is estimated that, at approximately 30,000 convictions a year (1983 statistics), with a flat fee of $25, revenues could be estimated as much as $750,000. However, this represents a figure based on a 100% collection rate. The surcharge would be problematic to collect for non-fine sentences. It would be more realistic to anticipate revenues under the federal fine surcharge based on a 50% collection rate, i.e. **$375,000**. As previously indicated, the federal fine surcharge revenues must be applied to victims' services and programs.

To ensure the best possible use of monies available for crime prevention, victims assistance, fighting impaired driving and drug and substance abuse, the Government proposes that all the monies currently available be combined into one fund. Obviously, as these are public funds, the Government must remain ultimately responsible for the use of the funds.

In allocating these funds, the Government proposes to obtain input from a broad range of persons active in the field by establishing a committee consisting of representatives of law enforcement agencies and citizens' organizations active in the four fields. This committee would report to the Attorney General through the Deputy Attorney General, and the Attorney General's department would provide the necessary assistance to support its activities. It would be responsible for advising the department and the Government on optimum use of the funds in these fields.

It is proposed that the committee establish four subcommittees, dealing with each of the areas. These subcommittees would consider applications and would report to the full Advisory Committee, which would establish the priorities among the various projects.

In addition, the committee would be responsible for providing the Government a three-year plan on the distribution of funds and updating that plan annually on the basis of its experience.

Along with other comments you may wish to make, feedback on the following issues would be appreciated:

- How should the Advisory Committee be structured to adequately represent interest groups in all four areas?

- How should the total financial resources be divided?

- Should resources now allocated to the Manitoba Police Commission, i.e. Crime Prevention Coordinator, be reallocated to support activities under the umbrella of the proposed Attorney General's Advisory Committee?

Your responses are vital to help the government develop a truly integrated approach to crime prevention and victims assistance in Manitoba.